

## MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1

TO: THE BOARD OF DIRECTORS OF MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1 AND TO ALL OTHER INTERESTED PERSONS:

Notice is hereby given pursuant to Section 551 of the Texas Government Code that the Temporary Board of Directors of Maxwell Municipal Utility District No. 1 will hold an Organizational Meeting on Thursday, August 15, 2024 at 11:00 a.m. at 799 Railroad St., Maxwell, Texas 78656 for the following purposes:

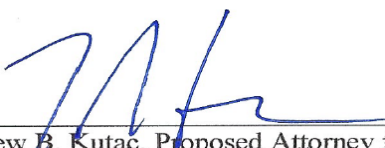
1. Review and acknowledge Legislation (Senate Bill 887, 88<sup>th</sup> Session of the Texas Legislature, Regular Session) creating the District;
2. Confirm receipt of the Order Appointing Temporary Directors from the Texas Commission on Environmental Quality;
3. Qualify temporary directors and administer statement of officer forms and oaths of office;
4. Review insurance proposal and approve placement of directors' and officers' liability insurance, bonds and other insurance deemed appropriate at this time;
5. Elect officers;
6. Hear overview of District and report on status of proposed development;
7. Consider and approve separate Resolutions Approving Contingent Fee Contracts (see attached "Notices of Contingent Fee Contracts"), and approve execution of separate legal engagements of the Law Office of Matthew B. Kutac PLLC and Winstead PC;
8. Consider and approve engagement of Doucet & Associates as engineer for the District, and execute related agreement;
9. Consider and approve engagement of Bott & Douthitt, PLLC as bookkeeper for the District, execute related agreement;
10. Consider and approve engagement of financial advisor, and if timely, executed related agreement;
11. Consider and designate depository bank and authorize the opening of an operating account and execution of required account documents, including any necessary signature cards and related bank resolutions;
12. Consider and ratify prior actions taken and the payment of various out-of-pocket expenses made on behalf of the District;
13. Authorize any negotiations with regard to the City of Martindale, Texas, Caldwell County, Texas, water and wastewater service providers, and additional service providers, as may be necessary, with regard to various agreements and related matters, and authorize any items, as may be necessary, with regard to the wastewater permit through the Texas Commission on Environmental Quality and execution and filing of any documents related to same;
14. Review and authorize execution of Non-Standard Retail Water Service Agreement between Maxwell Special Utility District, Tack Redwood Partners and the District;
15. Adopt Order Designating Office Locations Outside the District and authorize publication of Notice of same;
16. Consider and adopt Resolution Designating Posting of Meeting Notices for meeting notices posted within the District;
17. Adopt District seal;
18. Approve and authorizing filing of District Information Form;
19. Review and approve Order Adopting a Travel Expense Policy, Limit on Fees of Office and Procedures for Selection and Review of Consultants, Policies Concerning the Use of Management Information, Including the Formation of an Audit Committee, Establishment of an Investment Policy, Selection of a Fiscal Year-End and Certain Other Matters;
20. Review and approve Order Approving Records Management Policy and Designating Records Manager;
21. Consider and act upon items in supplemental agenda;
22. Authorize the creation of a District website;
23. Discuss and confirm proposed next meeting date;
24. Public communications and comments – no formal Board action will be taken; and
25. Adjournment.

The Board of Directors will go into Executive Session, if necessary and appropriate, pursuant to the applicable section of Subchapter D, Chapter 551, Texas Government Code Annotated, the Texas Open Meetings Act, on any matter that may come before the Board. No action decision or vote on any subject or matter may be taken unless specifically listed on the agenda for this meeting.

**Required Notice for District's First Meeting of the Calendar Year** The Board of Directors of Maxwell Municipal Utility District No. 1 propose to conduct its regular and special Board Meetings at a designated meeting location outside the boundaries of the District. Qualified resident electors of the District may request that the Board designate a meeting location within the District and hold meetings within the boundaries of the District. For more information, please refer to Chapter 49 of the Texas Water Code, Section 49.062(c).

EXECUTED this the 9<sup>th</sup> day of August, 2024.

MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1

  
Matthew B. Kutac, Proposed Attorney for the District  
Maxwell Municipal Utility District No. 1

**SUPPLEMENTAL AGENDA**


**MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1**

**TO: THE BOARD OF DIRECTORS OF MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1 AND TO ALL OTHER INTERESTED PERSONS:**

Notice is hereby given pursuant to Section 551 of the Texas Government Code that the Temporary Board of Directors of Maxwell Municipal Utility District No. 1 will hold an Organizational Meeting on Thursday, August 15, 2024 at 11:00 a.m. at 799 Railroad St., Maxwell, Texas 78656 to:

1. Review and approve any Contracts for Election Services with Caldwell County, and any related resolutions, regarding November 5, 2024 elections and authorize execution of final versions by the Board's officers; and
2. Consider and adopt Order Calling Confirmation, Director, Road District Powers Election and Approving Engineering Reports and Calling Utility Bond Election, Utility Refunding Bond Election, Road Bond Election, Road Refunding Bond Election, and Maintenance Tax Election and authorize formal notice of such election be given as provided by law.

MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1

  
Matthew B. Kutac, Proposed Attorney for the District  
Maxwell Municipal Utility District No. 1

**ORDEN DEL DÍA SUPLEMENTARIO**

**DISTRITO MUNICIPAL NO. 1 DE SERVICIOS PÚBLICOS DE MAXWELL**

**A: LA JUNTA DIRECTIVA DEL DISTRITO MUNICIPAL NO. 1 DE SERVICIOS PÚBLICOS DE MAXWELL Y A TODAS LAS DEMÁS PERSONAS INTERESADAS:**

Por la presente se da aviso, de conformidad con el Capítulo 551, Código de Gobierno de Texas, que la Junta Directiva del Distrito Municipal No. 1 de Servicios Públicos de Maxwell celebrará una reunión organizativa el jueves, 15 de agosto 2024, a las 11:00 a.m. en 799 Railroad St., Maxwell, Texas 78656 para:

1. Revisar y aprobar cualquier Contrato de Servicios Electorales con el Condado de Caldwell, y cualquier resolución relacionada, con respecto a las elecciones del 5 de noviembre de 2024 y autorizar la ejecución de las versiones finales por parte de los funcionarios de la Junta; y
2. Considerar y aprobar una Orden Convocando a la Elección de Confirmación, Elección de Directores, Elección de Poderes para Distrito de Carreteras y Aprobando el Informe del Ingeniero y Elección de Bonos de Servicios Públicos, Elección de Bonos de Refinanciación de Servicios Públicos, Elección de Bonos para Carreteras, Elección de Bonos de Refinanciación para Carreteras, y Elección de Impuesto de Mantenimiento, y autorizar que se dé notificación formal de dicha elección según lo dispuesto por la ley.

DISTRITO MUNICIPAL NO. 1 DE SERVICIOS PÚBLICOS DE MAXWELL

/s/ Matthew B. Kutac, Abogado Propuesto para el Distrito Municipal No. 1 de Servicios Públicos de Maxwell

NOTICE OF  
CONTINGENT FEE CONTRACT BY AND BETWEEN  
WINSTEAD PC AND  
MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1

Pursuant to Chapter 2254.1036, Texas Government Code, notice is hereby given that Maxwell Municipal Utility District No. 1 (the "District") will consider a contingent fee contract for bond counsel legal services with Winstead PC ("Winstead"). The contingent fee contract by and between the District and Winstead will be presented to the District at a public meeting to be held on Thursday, August 15, 2024, at 11:00 a.m. at 799 Railroad St., Maxwell, Texas 78656, which is within the boundaries of the District.

The engagement of Winstead is required to render professional services in connection with the authorization, sale, and delivery of bonds, certificates of participation, notes, or other evidences of indebtedness ("Bonds") on behalf of the District. Winstead will coordinate with the District and its consultants in the preparation of bond applications, official statements, and transcripts of legal proceedings to comply with the requirements of the Attorney General of the State of Texas, and will coordinate with the District and its consultants in all matters relative to the receipt and tabulation of bids for purchase of bonds. Additionally, Winstead will supervise the execution and delivery of the bonds to the original purchasers. Winstead will additionally provide an Opinion to confirm the validity of the bonds, and the tax-exempt status of the interest earned thereon under Federal Income Tax regulations, if applicable.

Members of the Winstead Public Finance Practice Group have been advising clients and serving as bond counsel on tax-exempt and taxable bonds, and rendering market opinions for governmental issuers, including special districts, for over 40 years. Winstead Public Finance attorneys are active members of the National Association of Bond Lawyers.

Winstead's fee for bond counsel services will be as follows: for new-money financings, 1.5% of the principal amount thereof; for refundings, 0.625% of the principal amount thereof; and for Anticipation Notes, 0.5%.

Winstead was engaged by the property owners of the District to assist with creating the District, and to provide for the financing of water, sanitary sewer, drainage, roadway, transportation, and similar infrastructure for master-planned developments to serve future residents and users. The District will consider the engagement of Winstead to serve as bond counsel at its organizational meeting.

Winstead's specialized practice in public finance transactions provides the District with professional expertise therein, including oversight and compliance with Local, State, and Federal regulatory agencies. Winstead is aware of the resources required to issue Bonds. Further, the District has no source of revenue sufficient to compensate an attorney in private practice under a contract for the payment of hourly fees without contingency in the context of a Bond issuance, nor does the District's support staff possess the qualifications or resources to properly represent the District in a Bond issuance. A contingent fee contract for bond counsel services with Winstead would allow the District to proceed with the issuance of Bonds in the most efficient, cost-effective, and feasible manner, resulting in benefits to future residents of Maxwell Municipal Utility District No. 1.

NOTICE OF  
CONTINGENT FEE CONTRACT BY AND BETWEEN  
LAW OFFICE OF MATTHEW B. KUTAC PLLC AND  
MAXWELL MUNICIPAL UTILITY DISTRICT NO. 1

Pursuant to Chapter 2254.1036, Texas Government Code, notice is hereby given that Maxwell Municipal Utility District No. 1 (the "District") will consider a contingent fee contract for bond counsel legal services with the Law Office of Matthew B. Kutac PLLC ("Kutac"). The contingent fee contract by and between the District and Kutac will be presented to the District at a public meeting to be held on Thursday, August 15, 2024, at 11:00 a.m. at 799 Railroad St., Maxwell, Texas 78656, which is within the boundaries of the District.

The engagement of Kutac is required to render professional services in connection with the authorization, sale, and delivery of bonds, certificates of participation, notes, or other evidences of indebtedness ("Bonds") on behalf of the District. Kutac will coordinate with other District consultants in drafting any initial bond application documents, including the application itself, and will review with the District and its consultants these drafts. Kutac will also work with to comply with the Attorney General of the State of Texas and relevant State Agencies in the review process.

Kutac has represented special districts for over 17 years. Kutac's fee for bond counsel services will be as follows: for new-money financings, 1.5% of the principal amount thereof; for refundings, 0.625% of the principal amount thereof; and for Anticipation Notes, 0.5%.

Kutac was engaged by the property owners of the District to assist with creating the District, and to provide for the financing of water, sanitary sewer, drainage, roadway, transportation, and similar infrastructure for master-planned developments to serve future residents and users. The District will consider the engagement of Kutac to serve as general counsel at its organizational meeting.

Kutate's specialized practice in municipal utility districts provides the District with professional expertise therein, including oversight and compliance with Local, State, and Federal regulatory agencies. Kutac is aware of the resources required to issue Bonds. Further, the District has no source of revenue sufficient to compensate an attorney in private practice under a contract for the payment of hourly fees without contingency in the context of a Bond issuance, nor does the District's support staff possess the qualifications or resources to properly represent the District in a Bond issuance. A contingent fee contract for bond counsel services with Kutac would allow the District to proceed with the issuance of Bonds in the most efficient, cost-effective, and feasible manner, resulting in benefits to future residents of Maxwell Municipal Utility District No. 1.